



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Raymond Kaempfer et al.
 Serial No. : 09/150,947 Examiner: Navarro, A
 Filed : September 10, 1998 Group Art Unit: 1645
 For : BROAD SPECTRUM PYROGENIC EXOTOXINS ANTAGONISTS
 AND VACCINES

Amst
23/D w/attach
Linda
11/27/01

PRELIMINARY AMENDMENT

November 19, 2001

By Express Mail No: EF293168559US

Assistant Commissioner of Patents
 Box Patent Application
 2900 Crystal Drive
 Arlington, Virginia 22202-3513

Sir:

This is in response to the Office Action dated March 20, 2001. An interview was conducted to discuss the Office Action on June 28, 2001. The participants of the interview included Examiner Mark Navarro, Dr. Ray Kaempfer, Rob Hill, Brian Stanton, Lynette Smith, Rochelle K. Seide and Alicia A. Russo. Based on the discussions during the interview, Applicants filed a Continued Prosecution Application on August 20, 2001 requesting a suspension of action up to three months which was granted on August 31, 2001, giving Applicants three months from date of filing of the Continued Prosecution Application to respond (the final date for which a response may be entered is therefore November 20, 2001). The interview summary indicates that Applicants will consider amending the claims to recite that the claimed peptide does not have toxin activity. Please consider the following amendments and remarks.